

REMARKS

This divisional application is directed to the claims 16-25 that were non-elected in the parent case and several additional claims not considered by the Examiner in the parent application.

Of the latter, new claim 32 recites features include an electrosurgical instrument that is capable of generating RF electrosurgical currents characterized by different waveforms each associated with a particular surgical procedure combined with a family of customized handpieces each connectable to the instrument and each provided with an electrode and control signal generating means customized for a particular electrosurgical procedure. When the connected handpiece is activated, a unique control signal is generated which is used by the instrument to select the electrosurgical mode associated with that particular electrosurgical procedure.

The cited art of the parent application does not teach or suggest the invention set forth in new claim 32.

In Feucht, there is no teaching dedicating a particular handpiece to a particular procedure. Any control currents generated at the handpiece are used merely for controlling power levels or alarm or monitoring functions. There is no discussion of waveforms, let alone a teaching that different RF electrosurgical waveforms can be supplied to the patient depending on the connected handpiece.

Moreover, in Feucht, there is no teaching dedicating a particular component of the handpiece to a particular procedure so that a unique control signal is generated associated with that procedure.

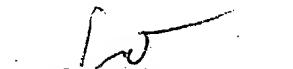
Hence, adding the Feucht system to the Garito system would not lead the person of ordinary skill in the art to the claimed invention.

Morgan does not fill the gap in the teachings of Feucht and Garito, since determining which tool is connected to the instrument for power level control will not teach anything concerning sending the right RF electrosurgical current waveforms to the tool for the electrosurgical mode associated with a particular handpiece.

Hence, it is submitted that claim 32 is non-obvious and should be allowed.

Claims 33-36 are dependent upon claim 46 and should be allowable for the same reasons.
Accordingly, allowance of claims 16-25 and 32-36 are respectfully solicited.
Entry of this amendment and allowance of the case are earnestly solicited.
Please charge any extra fees or credit overpayments to Dep. Acct. 15-0380.

Respectfully submitted
A. Ellman et al.


J. O'Fisher, his attorney
Reg. No. 17317

7/30/03